IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :
THE HON'BLE MR.JUSTICE V.RAMKUMAR

FRIDAY, THE 15TH JUNE 2007 / 25TH JYAISHTA 1929

Bail Appl..No. 3553 of 2007()

C.R.NO.14/2007 OF ARYANAD EXCISE RANGE

: PETITIONER/ACCUSED

NALINI, AGED 45 YEARS, D/O. SATHYABHAMA,
489, VARUVILAKATH VEEDU, KOKKATTELA, ARYANAD.

BY ADV. SRI.T.A.UNNIKRISHNAN

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REP. BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 15/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Bail Application No.3553/2007

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DATED: 15-06-2007

O R D E R

In this Petition filed under Sec. 438 Cr.P.C. the petitioner who is an accused in C.R. No.14/2007 of Aryanad Excise Range for offences punishable under sections 8(1) and 8(2) of the Abkari Act for allegedly having been found in possession of 2.5 litres of arrack seeks anticipatory Bail.

2. The learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case involving such grave offence. It is too early to accept the petitioner's contention that the petitioner has been falsely implicated. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail. Accordingly if the petitioner surrenders before the Magistrate concerned within two weeks from today and files an application for regular bail, the same shall be considered and disposed of on merits preferably on the same day on which it is filed and also after considering the medical grounds urged by the petitioner, bearing in mind the decision in **Sukumari v. State of Kerala (2001 (1) KLT 22).**

With the above observation this Application is disposed of.

V.RAMKUMAR,JUDGE

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